

R E M A R K S

It is respectfully requested that the Examiner consider Claims 27 to 30 and 32 to 57 in the wording set forth in Appendix I of this paper. The claims differ from previously before the Examiner in that Claim 31 has been canceled, and Claims 27 has been amended such that the subject matter of Claim 31 is presented in independent form. No new matter has been added.

The Examiner rejected Claims 27-30, 32-39, 41, 45, 48 and 54 to 57 under Section 103(a) as being unpatentable in light of the teaching of *Budge et al.* (US 5,196,602), and Claims 27-30, 32-39, 41, 45, 48, 54 and 55 under Section 103(a) as being unpatentable in light of the teaching of *Budge et al.* (*ibid.*) when taken in view of the disclosure of *Küksal et al.* (*Applied Catalysis A: General* 228, 237-251 (2002)). Claim 31 was not included in either one of the rejections.

Claim 27 as herewith submitted presents the subject matter of Claim 31 in independent form and Claim 27 should, therefore, be allowable in light of the prior art referenced in the Examiner's rejections. Moreover, Claims 28 to 30, 32 to 39, 41, 45, 48 and 54 to 57 which were also rejected by the Examiner depend, either directly or indirectly, on Claim 27 and thereby incorporate the provisions of former Claim 31. If an independent claim is non-obvious under 35 U.S.C. §103, then any claim depending therefrom is non-obvious.<sup>2)</sup> Accordingly, Claims 27 to 30, 32 to 39, 41, 45, 48 and 54 to 57 should be in condition for allowance. Favorable action is respectfully solicited.

The remaining claims, ie. Claims 40, 42 to 44, 46, 47 and 49 to 53, were indicated by the Examiner as allowable. All of the claims as herewith presented should therefore be allowable and the application should be in condition for allowance. Early action by the Examiner would be greatly appreciated by applicants.

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2) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).